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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/557,855	04/26/2000	Scott Hirsch	HIRS.003us2	1351
22798	7590	06/30/2004	EXAMINER	
QUINE INTELLECTUAL PROPERTY LAW GROUP, P.C. P O BOX 458 ALAMEDA, CA 94501			ALAM, SHAHID AL	
			ART UNIT	PAPER NUMBER
			2172	15

DATE MAILED: 06/30/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/557,855

Applicant(s)

HIRSCH, SCOTT

Examiner

Shahid Al Alam

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jr

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 12 April 2004.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-19 and 32 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-4, 6-19 and 32 is/are rejected.
- 7) ☒ Claim(s) 5 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Response to Arguments

1. Applicant's arguments filed on 12 April 2004 have been fully considered but they are not persuasive for the following reasons.

Applicant argue that the abstract in particular, and Christianson in general, do not discuss ways to represent source content and there is no suggestion in Christianson for the claimed elements (see pages 5 and 6 of the arguments).

Examiner respectfully disagrees all of the allegations as argued. Examiner, in his previous office action, gave detail explanation of claimed limitation and pointed out exact locations in the cited prior art.

Examiner is entitled to give claim limitations their broadest reasonable interpretation in light of the specification, see MPEP 2111.

During patent examination, the pending claims must be 'given the broadest reasonable interpretation consistent with the specification.' Applicant always has the opportunity to amend the claims during prosecution and broad interpretation by the examiner reduces the possibility that the claim, once issued, will be interpreted more broadly than is justified. In re Prater, 162 USPQ 541,550-51 (CCPA 1969).

In response to Applicant's argument, Christianson teaches a user in accessing network attached information sources. A method for intelligently routing a user query to information sources relevant to that query, extracting relevant data fields from received responses, and intelligently presenting the extracted data in order of estimated relevance (see abstract, lines 1 – 7 and also

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Figures 2A and 2B). Furthermore, this information source in Christianson is equivalent to source content as described in Applicant's disclosure on page 8, lines 19 – 26 and Figure 3. In these section, Christianson teaches "this underlying content source may be made easily accessible by providing a link on a note display, such as 18. A common underlying content source for a set of notes will be a single document, such as shown in Figure 3, which illustrates a display of an HTML page. However, as will be understood from the teaching therein, an underlying source for a note set may be an entire website, or could be a number of documents grouped together for some reason, such as because they were the results of a search. A source could be a database or non-HTML document, such as a document encoded in WORD, ASCII, or any other computer readable format."

For the above reasons, Examiner believed that rejection of the last Office action was proper.

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

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Claims 1 – 4, 6 – 19 and 32 are rejected under 35 U.S.C. 102(e) as being anticipated by U.S. Patent Number 6,085,186 issued to David Christianson et al. (“Christianson”).

With respect to claim 1, Christianson teaches a method of representing source content to allow for flexible access (see abstract) comprising:

receiving source content (column 3, lines 8 – 18);

determining one or more categories for said source content (column 4, lines 31 – 36 and Figure 1); and

extracting one or more notes from said source content, said one or more notes assigned to said one or more categories (column 4, lines 31 – 36).

As to claim 2, making said notes available for user access over at least two different user interface (Figure 3, Numbers 34, 35 and 36).

As to claim 3, presenting a portion of said notes to a user and providing control indications allowing a user to selectively access one or more unrepresented notes (column 9, lines 25 – 30).

As to claim 4, formatting said presenting for an access device according to one or more templates (column 6, lines 15 – 27).

As to claim 6, formatting said presenting based on a user information goal (column 6, lines 29 – 39).

As to claim 7, said source content comprises HTML multimedia content (column 6, lines 35 – 39).

As to claim 8, providing folder control indication to allow a user to select presentation from multiple available not sets (column 2, lines 51 – 58).

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As to claim 9, applying a set of parsing rules in an automatic parser for extracting notes from said source content (column 24, lines 28 – 36 and column 25, lines 34 – 37).

As to claim 10, said parsing rules further comprise rules that identify key sentences from sentence structure and punctuation (column 21, lines 12 – 30 and column 22, lines 55 – 64).

As to claim 11, said parsing rules further comprise rules that identify important names or phrases by reference to a database (column 23, lines 46 – 48).

As to claim 12, said parsing rules further comprise rules that identify principal material in said content (column 23, lines 46 – 48).

As to claim 13, identifying a classification for said source content and using said classification in determining said one or more categories (column 4, lines 30 – 33 and 43 – 44).

As to claim 14, identifying a classification for said source content and using said classification in selecting parsing rules to apply to said source content (column 23, lines 46 – 48).

As to claim 15, said identifying a classification is performed manually (column 4, lines 30 – 32).

As to claim 16, accepting user search criteria associated with one or more of said categories (column 4, lines 30 – 33) and locating a document based on finding said criteria in said one or more categories (column 4, lines 43 – 44).

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As to claim 17, exporting one or more extracted notes into Word, Excel or other common user file formats (column 6, lines 29 – 49).

As to claim 18, storing said notes in a database (column 9, lines 62 – 64).

As to claim 19, said parsing places single word subjects or sets of proper nouns into some categories (column 4, lines 30 – 33 and 43 – 44).

With respect to claim 32, Christianson teaches using a rule set to determine the central content of a source and distinguish said central content from side bar text and links using a set of conditional rules; and using a rule set to determine what is the beginning and ending of said central content (rule set is well known in the art as indicated by column 21, lines 12 – 62 and column 24, lines 29 – 45).

Allowable Subject Matter

3. Claim 5 is objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Conclusion

4. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.


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Contact Information

5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Shahid Al Alam whose telephone number is (703) 305-2358. The examiner can normally be reached on Monday-Thursday 8:00 A.M. - 4:00 P.M..

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John E Breene can be reached on (703) 305-9790. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).


Shahid Al Alam
Primary Examiner
Art Unit 2172

23 June 2004